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17 as Interim President, Bakersfield College; RICHARD McCROW, in
18 his official capacity as Dean of Instruction, Bakersfield College;
19 THOMAS BURKE, in his official capacity as Chancellor, Kern
20 Community College District; ROMEO AGBALOG, in his official
21 capacity as President, Kern Community College District Board of
22 Trustees; JOHN S. CORKINS, in his official capacity as Vice
23 President, Kern Community College District Board of Trustees;
24 KAY S. MEEK, in her official capacity as Clerk, Kern Community
25 College District Board of Trustees; KYLE CARTER, in his official
26 capacity as Trustee, Kern Community College District;
27 CHRISTINA SCRIVNER, in her official capacity as Trustee, Kern
28 Community College District; NAN GOMEZ-HEITZEBERG, in her
Community College District; and YOVANI JIMENEZ, in his official capacity as Trustee, Kern
Community College District

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18 UNITED STATES DISTRICT COURT
19
20 EASTERN DISTRICT OF CALIFORNIA - BAKERSFIELD

21 DAYMON JOHNSON,
22 v.
23

Plaintiff,

Case No.: 1:23-CV-00848 CDB

Complaint Filed: June 1, 2023
FAC Filed: July 6, 2023

**STIPULATION ON HEARING DATE AND
BRIEFING SCHEDULE FOR PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION
AND FOR RESPONSE TO FIRST AMENDED
COMPLAINT**

24 STEVE WATKIN, in his official
25 capacity as Interim President, Bakersfield
26 College; RICHARD McCROW, in his
27 official capacity as Dean of Instruction,
Bakersfield College; THOMAS BURKE,
28 in his official capacity as Chancellor,
Kern Community College District;
SONYA CHRISTIAN, in her official
capacity as Chancellor, California
Community Colleges; ROMEO
AGBALOG, in his official capacity as

1 President, Kern Community College
2 District Board of Trustees; JOHN S.
3 CORKINS, in his official capacity as
4 Vice President, Kern Community
5 College District Board of Trustees; KAY
6 S. MEEK, in her official capacity as
7 Clerk, Kern Community College District
8 Board of Trustees; KYLE CARTER, in
9 his official capacity as Trustee, Kern
Community College District;
CHRISTINA SCRIVNER, in her official
capacity as Trustee, Kern Community
College District; NAN GOMEZ-
HEITZEBERG, in her official capacity
as Trustee, Kern Community College
District; and YOVANI JIMENEZ, in his
official capacity as Trustee, Kern
Community College District,

10 Defendants.
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12

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14 **STIPULATION**

15 IT IS HEREBY STIPULATED by and between Plaintiff DAYMON JOHNSON
16 (“Plaintiff”) and Defendants STEVE WATKIN, in his official capacity as Interim President,
17 Bakersfield College; RICHARD McCROW, in his official capacity as Dean of Instruction,
18 Bakersfield College; THOMAS BURKE, in his official capacity as Chancellor, Kern Community
19 College District; SONYA CHRISTIAN, in her official capacity as Chancellor, California
20 Community Colleges; ROMEO AGBALOG, in his official capacity as President, Kern
Community College District Board of Trustees; JOHN S. CORKINS, in his official capacity as
21 Vice President, Kern Community College District Board of Trustees; KAY S. MEEK, in her
22 official capacity as Clerk, Kern Community College District Board of Trustees; KYLE CARTER,
23 in his official capacity as Trustee, Kern Community College District; CHRISTINA SCRIVNER,
24 in her official capacity as Trustee, Kern Community College District; NAN GOMEZ-
25 HEITZEBERG, in her official capacity as Trustee, Kern Community College District; and
26 YOVANI JIMENEZ, in his official capacity as Trustee, Kern Community College District
27 (“Defendants”) (collectively “the Parties”), through their respective counsel of record as follows:

1 WHEREAS, Plaintiff filed a First Amended Complaint in this matter on July 6, 2023;

2 WHEREAS, Plaintiff noticed a Motion for Preliminary Injunction, which has been set for

3 hearing on August 24, 2023, at 10:30 a.m. in Department 220;

4 WHEREAS, this Court by order dated July 21, 2023 [Docket No. 27] has ordered that

5 Defendants' Opposition papers must be served and filed by August 4, 2023;

6 WHEREAS, Defendants' responses to Plaintiff's First Amended Complaint are due this

7 month, based on the dates of service of the First Amended Complaint, making the first responses

8 of particular Defendants being listed in this Court's docket as due August 4, 2023,

9 WHEREAS, Defendants' counsel has requested additional time for the preparation of

10 responses to the First Amended Complaint and to Plaintiff's Motion for a Preliminary Injunction

11 given the scope of the legal issues in this action and the need to coordinate a response,

12 WHEREAS, Plaintiff's counsel was made aware of disputes as to service and Defendants

13 agree to waive those disputes and stipulate that service has been perfected as to All Defendants

14 contingent upon this Court continuing the deadlines for Defendants' respective filings for no

15 fewer than two (2) weeks as set forth in this Stipulation,

16 WHEREAS, Defendant Sonya Christian, who is Chancellor of the California Community

17 Colleges and is represented by the California Attorney General's Office requires an extension of

18 time to respond to the First Amended Complaint of 60 days,

19 NOW THEREFORE, the Parties hereby request that the Court:

20 1. Continue the hearing on Plaintiff's Motion for Preliminary Injunction until September

21 5 or 8, 2023 at 10:30 a.m., or a subsequent date and time at the earliest convenience

22 for the Court.

23 2. Continue the due date for the Defendants' Opposition papers in response to the

24 Motion, so that they are due to be filed and served August 18, 2023 for All

25 Defendants.

26 3. Continue the due date for Plaintiff's Reply papers in support of the Motion, so that

27 they are due to be filed and served August 30, 2023.

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1 4. Continue the date by which each of the Defendants (except Sonya Christian) must
2 respond to the First Amended Complaint until August 18, 2023.

3 5. Continue the date by which Defendant Sonya Christian must respond to the First
4 Amended Complaint until October 3, 2023.

5 Dated: August 3, 2023

LIEBERT CASSIDY WHITMORE

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8 By: */s/ David Urban*
9 Eileen O'Hare-Anderson
10 Jesse Maddox
11 David Urban
12 Jennifer Denny
13 Attorneys for Defendants STEVE WATKIN,
14 et al.

15
16 Dated: August 3, 2023

OFFICE OF THE ATTORNEY GENERAL FOR
17 THE STATE OF CALIFORNIA

18
19 By: */s/ Jay Russell*
20 Jay Russell
21 Attorneys for Defendant
22 SONYA CHRISTIAN

23
24 Dated: August 3, 2023

INSTITUTE FOR FREE SPEECH

25
26 By: */s/ Endel Kolde*
27 Alan Gura
28 Endel Kolde
 Courtney Corbello
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 DAYMON JOHNSON

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